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PATENT COOPERATION TREATY

From Japanese Patent Office

(INTERNATIONAL SEARCH AUTHORITY)

To: HAYASE, Kenichi HAYASE & CO. 13F, NISSAY SHIN-OSAKA Bldg., 3-4-30, Miyahara, Yodogawa-ku, Osaka-shi, Osaka 532-0003 JAPAN	PCT WRITTEN OPINION OF THE ISA (PCT Rule 43bis)
	Date of Mailing 17 May 2005

Applicant's or agent's file reference P36489-P0		See item 2 below for the subsequent procedure	
International application No. PCT/JP2004/019508	International filing date 27 December 2004	Priority date 26 December 2003	
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ G01N33/561, C12M1/00, C12N15/09, C12Q1/68, G01N27/447, 33/53, 37/00			
Applicant Matsushita Electric Industrial Co., Ltd.			

1. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 43.2.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

OMISSION(2 and 3)

Date of completion of this opinion 21 April 2005

Name and mailing address of the ISA/JP Japanese Patent Office	Authorized officer Telephone No.
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WRITTEN OPINION OF THE ISA

International application No.
PCT/JP2004/019508

I. Basis of the opinion

1. This opinion has been drawn on the basis of the language of international application, unless otherwise indicated below.

OMISSION(2, 3, and 4)

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AP3 Rec'd PCT/PTO 23 JUN 2006

WRITTEN OPINION OF THE ISA

International application No.
PCT/JP2004/019508

V Reasoned statement under Rule 43.2.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)

Claims 1-55 YES

Claims NONE NO

Inventive Step(IS)

Claims 2-17, 21, 22, 24, 25, 33-44, 47 YES

Claims 1, 18-20, 23, 26-32, 45, 46, 48-55 NO

Industrial Applicability (IA)

Claims 1-55 YES

Claims NONE NO

2. CITATIONS AND EXPLANATIONS

Document 1: JP 2003-504637 A (PE Corporation (NY)) 2003.02.04

Document 2: JP 6-66769 A (Hitachi Ltd.) 1994.03.11

Claims 1, 23, and 26 which are described in independent forms include the inventions described in the document 1 and the document 2.

Further, Claims 18-20, 27-32, 45, 46, and 48-55 which are described in dependent forms are, for those skilled in the art, merely technically common knowledge such as empirical rules, or well-known and commonly-used matters that require no exemplification, or terms of design that can easily be derived from them.

Claims 2, 3, 24, 25, and 33 have technical characteristic that a biological sample is injected up to a first flow position that does not reach a quantification part in a second channel by rotating a plate, and then the biological sample is flowed from the first flow position up to a second flow position including the quantification part in the second channel, and this technical characteristic is neither described nor suggested in any of the documents cited in the International Search Report.

Accordingly, Claims 2, 3, 24, 25, and 33 cannot be easily conceived by those skilled in the art.

Since Claims 4-17, 21, 22, 34-44, and 47 which are dependent on any of Claims 2, 3, 24, 25, and 33 include the above-mentioned technical characteristic, these Claims cannot be easily conceived by those skilled in the art.

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